



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,467	11/17/2006	Philippe Espiard	279791US0PCT	8944

22850 7590 12/21/2009
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

PEPITONE, MICHAEL F

ART UNIT	PAPER NUMBER
----------	--------------

1796

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

12/21/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No. 10/553,467	Applicant(s) ESPIARD ET AL.	
	Examiner MICHAEL PEPITONE	Art Unit 1796	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 21 and 23-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 21 and 23-27 is/are rejected.
- 7) ☒ Claim(s) 24-27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/2/09 has been entered.

Claim Objections

Claims 24-27 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 1 is a thermal and/or acoustic insulation product; dependent claims 24-27 are a method of manufacturing. The method of manufacturing {claims 24-27} fails to limit the product of claim 1.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 1796

Claims 1-4, 6-12, 14, 21, 24-25, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Thimons *et al.* (US 5,437,928).

Regarding claims 1-2, 4, 6, 8-12, 14, 21: Thimons *et al.* teaches glass fiber mats {thermal/acoustic insulation product} (1:4-6; 2:17-30; 5:36-50) comprising glass fibers and a sizing composition containing a polymeric amine (2:50-68) and a water soluble, non-volatile carboxylic acid (4:63-5:5); wherein a specific embodiment {a specific sizing composition} contains tetraethylene pentamine {mw = 189.31 g/mol} and maleic acid {mw = 116.1 g/mol} [instant claims 1-2, 4, 6, 8-12, 14] (6:65-7:45).

Thimons *et al.* teaches the glass fibers can be formed by any method known in the art (6:11-14), but does not teach centrifugal fiberzing. However, “[E]ven though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process.” *In re Thorpe*, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985) [See MPEP 2113].

The Office realizes that all the claimed effects or physical properties are not positively stated by the reference. However, the reference teaches all of the claimed reagents. Therefore, the claimed effects and physical properties, i.e. thermal and/or acoustic insulating properties, would inherently be achieved by a composition with all the claimed ingredients. If it is the applicants’ position that this would not be the case: (1) evidence would need to be presented to support applicant’s position; and (2) it would be the Office’s position that the application

Art Unit: 1796

contains inadequate disclosure that there is no teaching as to how to obtain the claimed properties and effects with only the claimed ingredients.

Regarding claim 3: Thimons *et al.* teaches oxalic acid {mw = 90.03 g/mol} {substitute for maleic acid} (5:2-4).

Regarding claim 7: Thimons *et al.* teaches methacrylic acid {mw = 86.04 g/mol} {substitute for maleic acid} (5:2-4).

Regarding claims 24 and 27: Thimons *et al.* teaches a method for preparing a glass mat comprising preparing a sizing composition by dissolving {diluting} maleic acid in water, then adding the maleic acid solution to a solution containing tetraethylene pentamine {wherein the tetraethylene pentamine solution was dissolved in hot water (140-160 °F = 60-71 °C)}; applying the sizing composition to glass fibers; and baking the glass fibers (7:1-34). {Thimons *et al.* teaches moderate heating of the sizing composition (5:60-61)}.

Regarding claim 25: Thimons *et al.* teaches about 2-19 wt% polymeric amine {tetraethylene pentamine} and about 6-15 wt% water soluble, non-volatile carboxylic acid {maleic acid} (5:36-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 1796

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928), as applied to claim 4 above, in further view of Nigam (US 6,171,444).

Regarding claim 5: Thimons *et al.* teaches the basic claimed product [as set forth above with respect to claim 4].

Thimons *et al.* does not teach the acids of instant claim 5. However, Nigam teaches a sizing composition for glass fibers (7:40-31; 11:35-40) comprising polyacids such as maleic acid, oxalic acid, citric acid and tartaric acid (8:16-25). Thimons *et al.* and Nigam are analogous art because they are concerned with a similar technical difficulty, namely the preparation of sizing composition for glass fibers. At the time of invention a person of ordinary skill in the art would have found it obvious to have combined citric acid and tartaric acid, as taught by Nigam in the invention of Thimons *et al.*, and would have been motivated to do so since Nigam suggests that citric acid and tartaric acid are equivalent to maleic acid and oxalic acid when used in glass fiber sizing compositions (8:4-31).

Art Unit: 1796

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928) as applied to claim 1 above.

Regarding claim 13: Thimons *et al.* teaches the basic claimed product [as set forth above with respect to claim 1], wherein the sizing composition comprises about 2-19 wt% polymeric amine {tetraethylene pentamine} (or about 3.5-26 wt% of polyamine organosilane reaction product), and about 6-15 wt% water soluble, non-volatile carboxylic acid {maleic acid} (5:36-55).

Thimons *et al.* does not teach 20-80 parts by weight polycarboxylic acid. However, it has been well established that where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation. *In re Aller*, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955) [MPEP 2144.05]. At the time of invention a person of ordinary skill in the art would have found it obvious to have optimized the amount of maleic acid, as taught by Thimons *et al.*, as commonly practiced in the art, and would have been motivated to do so since the desired level of properties in fabricated products made using the glass fibers treated with the sizing composition can be achieved (5:1-9).

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928), as applied to claim 1 above, when taken with Drummond (US 4,158,557).

Regarding claim 23: Thimons *et al.* teaches the basic claimed product [as set forth above with respect to claim 1], wherein a specific glass mat has a density of 2 oz/ft² {610 g/m²} (8:24-26). Thimons *et al.* teaches glass mats having a density of about 1 oz/ft² {about 305 g/m²} (5:58-63).

Art Unit: 1796

Drummond (US 4,158,557) provides evidence for glass mats having a density of about 1 oz/ft² {about 305 g/m²} (6:44-47).

Thimons *et al.* does not teach glass mats having a density of between 10 and 300 g/m². However, a prima facie case of obviousness exists where the claimed ranges and prior art ranges do not overlap but are close enough that one skilled in the art would have expected them to have the same properties. *Titanium Metals Corp. of America v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985) [See MPEP 2144.05].

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928) as applied to claim 24 above.

Regarding claim 26: Thimons *et al.* teaches the basic claimed method [as set forth above with respect to claim 24], wherein a silane is added to the sizing composition (7:15-26).

Thimons *et al.* does not teach adding the silane after the polycarboxylic acid is added. However, a prima facie case of obviousness exists where changes in the sequence of adding ingredients derived from the prior art process steps. *Ex parte Rubin*, 128 USPQ 440 (Bd. App. 1959). See also *In re Burhans*, 154 F.2d 690, 69 USPQ 330 (CCPA 1946) (selection of any order of performing process steps is prima facie obvious in the absence of new or unexpected results); *In re Gibson*, 39 F.2d 975, 5 USPQ 230 (CCPA 1930) (Selection of any order of mixing ingredients is prima facie obvious.) [See MPEP 2144.04].

Claims 1-4, 6-12, 14, 21, 24-25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928) in view of Barthe *et al.* (US 4,759,974).

Art Unit: 1796

Regarding claims 1-2, 4, 6, 8-12, 14, 21: Thimons *et al.* teaches a glass fiber mat {thermal/acoustic insulation product} (1:4-6; 2:17-30; 5:36-50) comprising glass fibers and a sizing composition containing a polymeric amine (2:50-68) and a water soluble, non-volatile carboxylic acid (4:63-5:5); wherein a specific embodiment {a specific sizing composition} contains tetraethylene pentamine {mw = 189.31 g/mol} and maleic acid {mw = 116.1 g/mol} [instant claims 1-2, 4, 6, 8-12, 14] (6:65-7:45).

Thimons *et al.* teaches the glass fibers can be formed by any method known in the art (6:11-14), but does not teach fibers formed by centrifugal fiberizing. However, Barthe *et al.* teaches glass fibers and glass mats prepared by fiberizing techniques wherein molten glass to be fiberized is centrifugally converted by a rapidly rotating spinner into a multiplicity of glass streams which are attenuated into fibers by a concentric annular gaseous blast from an internal combustion burner adjacent the periphery of the spinner directed perpendicularly to the centrifugal stream {centrifugal blast attenuation} (1:15-26; 4:56-5:13). Thimons *et al.* and Barthe *et al.* are analogous art because they are concerned with a similar technical difficulty, namely the preparation of glass fibers and mats. At the time of invention a person of ordinary skill in the art would have found it obvious to have prepared glass fibers via centrifugal blast attenuation, as taught by Barthe *et al.* in the invention of Thimons *et al.*, and would have been motivated to do so since Barthe *et al.* suggests that centrifugal blast attenuation provides improvements in production rate, operating costs, and yields fibers having improved quality (1:64-2:2; 9:13-21; 15:59-16:2; 22:6-15; 25:67-26:11; 26:20-29:20).

The Office realizes that all the claimed effects or physical properties are not positively stated by the reference. However, the reference teaches all of the claimed reagents and was

Art Unit: 1796

prepared under similar conditions. Therefore, the claimed effects and physical properties, i.e. thermal and/or acoustic insulating properties, would implicitly be achieved by a composition with all the claimed ingredients. If it is the applicants' position that this would not be the case: (1) evidence would need to be presented to support applicant's position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain the claimed properties and effects with only the claimed ingredients.

Regarding claim 3: Thimons *et al.* teaches oxalic acid {mw = 90.03g/mol} {substitute for maleic acid} (5:2-4).

Regarding claim 7: Thimons *et al.* teaches methacrylic acid {mw = 86.04 g/mol} {substitute for maleic acid} (5:2-4).

Regarding claims 24 and 27: Thimons *et al.* teaches a method for preparing a glass mat comprising preparing a sizing composition by dissolving {diluting} maleic acid in water, then adding the maleic acid solution to a solution containing tetraethylene pentamine {wherein the tetraethylene pentamine solution was dissolved in hot water (140-160 °F = 60-71 °C)}; applying the sizing composition to glass fibers; and baking the glass fibers (7:1-34). {Thimons *et al.* teaches moderate heating of the sizing composition (5:60-61)}.

Regarding claim 25: Thimons *et al.* teaches about 2-19 wt% polymeric amine {tetraethylene pentamine} and about 6-15 wt% water soluble, non-volatile carboxylic acid {maleic acid} (5:36-50).

Art Unit: 1796

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928) in view of Barthe *et al.* (US 4,759,974), as applied to claim 4 above, in further view of Nigam (US 6,171,444).

Regarding claim 5: Thimons *et al.* and Barthe *et al.* renders the basic claimed product obvious [as set forth above with respect to claim 4].

Thimons *et al.* does not teach the acids of instant claim 5. However, Nigam teaches a sizing composition for glass fibers (7:40-31; 11:35-40) comprising polyacids such as maleic acid, oxalic acid, citric acid and tartaric acid (8:16-25). Thimons *et al.* and Nigam are analogous art because they are concerned with a similar technical difficulty, namely the preparation of sizing composition for glass fibers. At the time of invention a person of ordinary skill in the art would have found it obvious to have combined citric acid and tartaric acid, as taught by Nigam in the invention of Thimons *et al.*, and would have been motivated to do so since Nigam suggests that citric acid and tartaric acid are equivalent to maleic acid and oxalic acid when used in glass fiber sizing compositions (8:4-31).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928) in view of Barthe *et al.* (US 4,759,974), as applied to claim 1 above.

Regarding claim 13: Thimons *et al.* and Barthe *et al.* renders the basic claimed product obvious [as set forth above with respect to claim 1], wherein Thimons *et al.* teaches the sizing composition comprises about 2-19 wt% polymeric amine {tetraethylene pentamine} (or about 3.5-26 wt% of polyamine organosilane reaction product}, and about 6-15 wt% water soluble, non-volatile carboxylic acid {maleic acid} (5:36-55).

Art Unit: 1796

Thimons *et al.* does not teach 20-80 parts by weight polycarboxylic acid. However, it has been well established that where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation. *In re Aller*, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955) [MPEP 2144.05]. At the time of invention a person of ordinary skill in the art would have found it obvious to have optimized the amount of maleic acid, as taught by Thimons *et al.*, as commonly practiced in the art, and would have been motivated to do so since the desired level of properties in fabricated products made using the glass fibers treated with the sizing composition can be achieved (5:1-9).

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928) in view of Barthe *et al.* (US 4,759,974), as applied to claim 1 above, when taken with Drummond (US 4,158,557).

Regarding claim 23: Thimons *et al.* and Barthe *et al.* (US 4,759,974) renders the basic claimed product obvious [as set forth above with respect to claim 1], wherein Thimons *et al.* teaches a specific glass mat has a density of 2 oz/ft² {610 g/m²} (8:24-26). Thimons *et al.* teaches glass mats having a density of about 1 oz/ft² {about 305 g/m²} (5:58-63).

Drummond (US 4,158,557) provides evidence for glass mats having a density of about 1 oz/ft² {about 305 g/m²} (6:44-47).

Thimons *et al.* does not teach glass mats having a density of between 10 and 300 g/m². However, a prima facie case of obviousness exists where the claimed ranges and prior art ranges do not overlap but are close enough that one skilled in the art would have expected them to have

Art Unit: 1796

the same properties. *Titanium Metals Corp. of America v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985) [See MPEP 2144.05].

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thimons *et al.* (US 5,437,928) in view of Barthe *et al.* (US 4,759,974), as applied to claim 24 above.

Regarding claim 26: Thimons *et al.* and Barthe *et al.* renders the basic claimed method obvious [as set forth above with respect to claim 24], wherein Thimons *et al.* teaches a silane is added to the sizing composition (7:15-26).

Thimons *et al.* does not teach adding the silane after the polycarboxylic acid is added. However, a prima facie case of obviousness exists where changes in the sequence of adding ingredients derived from the prior art process steps. *Ex parte Rubin*, 128 USPQ 440 (Bd. App. 1959). See also *In re Burhans*, 154 F.2d 690, 69 USPQ 330 (CCPA 1946) (selection of any order of performing process steps is prima facie obvious in the absence of new or unexpected results); *In re Gibson*, 39 F.2d 975, 5 USPQ 230 (CCPA 1930) (Selection of any order of mixing ingredients is prima facie obvious.) [See MPEP 2144.04].

The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. See attached form PTO-892.

Response to Arguments

Applicant's arguments filed with the amendment entered with the RCE have been fully considered but they are not persuasive. The rejection of claims 1-14, 21, and 23-27 based upon

Art Unit: 1796

Thimons *et al.* (US 5,437,928), Nigam (US 6,171,444), and Drummond (US 4,158,557) is maintained for reason of record and following response.

Thimons *et al.* (US '928) discloses a glass fiber mat {thermal/acoustic insulation product} (1:4-6; 2:17-30; 5:36-50) comprising glass fibers and a sizing composition containing a polymeric amine (2:50-68) and a water soluble, non-volatile carboxylic acid (4:63-5:5); wherein a specific size composition contains tetraethylene pentamine {mw = 189.31 g/mol} and maleic acid {mw = 116.1 g/mol} (6:65-7:45).

As claimed, claim 1 is a product comprising mineral fibers and a sizing composition containing a polycarboxylic acid and a polyamine. The examiner interprets the sized glass fibers {wherein the size composition contains tetraethylene pentamine and maleic acid}, and mats containing said fibers, disclosed in Thimons *et al.* (US '928) {see claim 1 above} as a thermal and/or acoustic insulation product. {note: Once the examiner provides a rationale tending to show that the claimed product appears to be the same or similar to that of the prior art, although produced by a different process, the burden shifts to applicant to come forward with evidence establishing an unobvious difference between the claimed product and the prior art product. *In re Marosi*, 710 F.2d 798, 802, 218 USPQ 289, 292 (Fed. Cir. 1983) [see MPEP 2113]}.

If it is the applicants' position that the sized glass fibers comprising glass fibers and a sizing composition containing a polymeric amine {ex. tetraethylene pentamine} and a water soluble, non-volatile carboxylic acid {ex. maleic acid} disclosed in Thimons *et al.* (US '928) would not function as a thermal and/or acoustic insulation product, evidence {data} would need to be presented to support applicant's position.

Art Unit: 1796

Nigam (US 6,171,444) was relied on as a secondary reference for disclosing a sizing composition for glass fibers (7:40-31; 11:35-40) comprising polyacids such as maleic acid, oxalic acid, citric acid and tartaric acid (8:16-25).

Drummond (US 4,158,557) provides evidence for glass mats having a density of about 1 oz/ft² {about 305 g/m²} (6:44-47).

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL PEPITONE whose telephone number is (571)270-3299. The examiner can normally be reached on M-F, 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on 571-272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MFP
8-December-09

/Mark Eashoo/
Supervisory Patent Examiner, Art Unit 1796